

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

JOSHUA YARBROUGH, ET AL.

§

v.

§

GLOW NETWORKS, INC.

§

CIVIL NO. 4:19-CV-905-SDJ

§

**CONDITIONAL RULING UNDER RULE 50(c)(1) ON
DEFENDANT'S ALTERNATIVE MOTION FOR A NEW TRIAL**

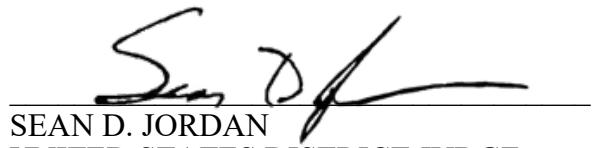
On March 1, 2024, the Court issued its Memorandum Opinion and Order on Post-Trial Motions (“Order”), in which it granted Glow’s renewed motion for judgment as a matter of law as to all Plaintiffs’ discrimination claims and Paul Tijani’s and Matt Lofland’s retaliation claims. (Dkt. #190).¹ The Court did not, however, make a conditional ruling on Glow’s alternative motion for a new trial for these claims. Glow subsequently moved the Court to modify the Order to provide such conditional ruling. (Dkt. #191). The motion, (Dkt. #191), is **GRANTED**.

Pursuant to Federal Rule of Civil Procedure 50(c)(1), “[i]f the [C]ourt grants a renewed motion for judgment as a matter of law, it must also conditionally rule on any motion for a new trial by determining whether a new trial should be granted if the judgment is later vacated or reversed.” Accordingly, the Court conditionally **GRANTS** Glow’s alternative motion for a new trial as to all Plaintiffs’ discrimination claims and Paul Tijani’s and Matt Lofland’s retaliation claims for all the reasons

¹ The Court held that the claims that survive judgment as a matter of law—Peter Tijani’s and William Aigheyisi’s retaliation claims—must be retried.

discussed in the Court's Order. Specifically, a new trial is required because (1) the verdict is against the great weight of the evidence, (Dkt. #190 at 10–57), and (2) the verdict is a product of prejudice against Glow, (Dkt. #190 at 66–84). It is **ORDERED** that any claim for which judgment as a matter of law was granted that is vacated or reversed on appeal shall be retried as to both liability and damages.

So ORDERED and SIGNED this 25th day of March, 2024.



SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE